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NATIONAL SECURITY

Trying to ensure secrets are secret

Walker case spotlights flaws in the system

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It is no coincidence that the Soviet Union has begun a large-scale naval exercise in the Atlantic at a time that Congress and the US intelligence community are trying desperately to seal the porous security system that enabled the long-established Walker spy ring operation to sell US Navy secrets to the Russians.

Navy Secretary John Lehman said last week on the NBC "Today" program that the Soviet naval maneuvers are intended to let Europe and the United States know that the Russian navy is now powerful enough to control the seas around NATO's northern flank.

This year, Lehman said, the Soviet navy is "much better off," in part, because of the alleged espionage activities of the Walker ring, which includes: John A. Walker Jr., 47, a former Navy communications specialist; his son, Michael, 22, a Navy enlisted man on the US aircraft carrier Nimitz; John Walker's brother, Arthur J. Walker, 50, a Navy veteran and former antisubmarine warfare specialist, and a friend, Jerry Whitworth, 45, a Navy radioman.

The Walker affair has been described as the most serious espionage case in the United States in the last 30 years. John Walker, who held a top-security clearance while in the Navy, has been accused of selling classified documents to the Soviet Union for the last 20 years. All four defendants have pleaded innocent to the charges.

The spy case not only has spotlighted the flaws in the nation's security system, but it has brought pressure on Congress to revise federal laws dealing with espionage and military secrecy.

Upward of 100 Soviet ships – significantly, more than half of them submarines – make up the task force that is taking part in the exercise in the North Atlantic, an exercise that is aimed at improving "their ability to fight the way their strategy plans to fight and that is to control the flanks of Europe, and now the new dimension is that they are practicing and training and building a fleet to control the Atlantic right off our shores," Lehman said.

"This is the significance of the exercise," Lehman added. "For the first time we saw new submarines operating aggressively in our waters against our targets and vulnerabilities," he said.

Antisubmarine warfare

The most damaging secrets that the Walker family allegedly passed on to the Russians concern antisubmarine warfare. Submarines, because of their ability to stay submerged and hidden for months at a time, are considered vital weapons in a nuclear war. Both the United States and the Soviet Union have placed a high priority on tracking the other side's subs, while keeping their own concealed.

Navy Secretary Lehman, after revelations of the Walker spy ring, ordered a 50-percent reduction in personnel with security clearances. Lehman's director of security policies said such an order was unrealistic.

Lehman said last week that his subordinate was "unduly pessimistic. As of today, we have reduced Navy-wide 26 percent since we started ... On the carriers themselves we have reached already 46 percent reduction, and on the (USS) Nimitz where the problems took place we have reduced 64 percent."

The alleged selling of military secrets to the Soviet Union by the Walker ring is different from the cases of the 1950s such as Ethel and Julius Rosenberg, who were executed for giving atom-bomb information to the Soviet Union. The Rosenbergs became Soviet spies not for financial gain, as the Walkers allegedly did, but because they believed in the Communist ideology.

Sen. Strom Thurmond (R-S.C.), chairman of the Senate Judiciary Committee, has said of the Walker case that "people on Capitol Hill are really disgusted and frustrated when a citizen is willing to sell his country down the creek."

Espionage-related bills

Already, in the two months following the first of the arrests of the Walker group, a number of bills have been introduced concerning espionage, including four that would restore the federal death penalty for spies. Espionage laws have included a death penalty clause for years, but federal law enforcement officials have said that the US Supreme Court struck down the provision in 1972 when it ruled that juries in capital cases had too much discretion in sentencing.

A bill filed by US Rep. Bill McCollum Jr. (R-Fla.) would revise military law to allow execution of members of the armed forces convicted of espionage. The measure, in a vote earlier this month, received the support of about three-quarters of the House members. A measure filed by Sen. Ted Stevens (R-Alaska) would permit such executions to be televised.

Legislation filed by Sen. Thurmond would limit the sentencing discretion of juries, in an effort to deal with the Supreme Court objections. This bill has been supported enthusiastically by the Reagan Administration.

One measure, sponsored by US Rep. C. W. Bill Young (R-Fla.), that has passed the House would permit the use of random lie-detector tests on more than 4 million military and civilian workers. The Senate has a less ambitious plan by which the Pentagon would be allowed to complete a pilot program of 3,500 lie-detector exams.

Another bill, in the form of an amendment, would raise the budget for background checks on military personnel from $50 million to $75 million. The sponsor of the amendment, US Rep. Les AuCoin (D-Ore.), said the espionage case has all but guaranteed its passage. AuCoin has been quoted as saying that "if a ring of amateurs like the Walkers can do this, we know that it really points to substantially larger problems. It has started the Congress into action."

However, civil liberties organizations are concerned that overreaction to the spy case could result in the abridgment of basic freedoms.

Jerry Berman, chief legal counsel of the national American Civil Liberties Union in Washington, said in a tele-

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phone interview last week that his organization is particularly concerned about the House amendment that would permit random lie detector tests of government employees with access to classified secrets. "We do not think such tests are reliable, and we believe they violate the self-incrimination clause of the Fifth Amendment," he said.

The ACLU, Berman added, also is opposed to the restoration of the death penalty for spying, both on constitutional grounds and because the organization does not think it would deter espionage. "The death penalty is a rash solution that does not solve the problem. The answer is to have more resources for monitoring people after they have access to information," Berman said.

Sen. Patrick J. Leahy (D-Vt.), vice chairman of the Senate Select Committee on Intelligence, said in a telephone interview last week that he does not believe that the way to improve the nation's military security system is by imposing the death penalty.

"The Navy has shown sheer negligence in this case. They spend half-a-billion dollars to take a World War II battleship out of mothballs, but they are not willing to spend a fraction of that amount on security checks and double-checks," Leahy said. "The talk about restoring the death penalty is a smoke screen. In the Walker case, this is a man whose security had not been checked for 17 years.

"The Department of Defense should stop being so enamored of hardware and start spending money on things to keep our secrets secret," Leahy added.

The Senate Select Committee on Intelligence has been conducting hearings on military security as a result of the Walker case, "and I expect we'll continue to," Leahy said.

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